

**DEPARTMENT OF HUMAN SERVICES  
Developmental Disabilities Division**

**POLICY ISSUANCE**

PI-10-02

**To:** Regional DD Program Administrators;  
Barb Murray, ND Association of Community Facilities;  
Licensed DD Service Providers;  
Teresa Larsen, ND Protection and Advocacy Project;  
Lucille Torpen, ND Department of Health – Health Facilities Division

**From:** Division of Developmental Disabilities

**Date:** February 3, 2010

**Subject:** Extension - Restraints and Seclusion Policy

**EFFECTIVE DATE OF POLICY: February 3, 2010 – June 30, 2010**

Policy number PI-09-23, prohibiting prone restraint and seclusion, effective January 1, 2010 remains in effect. However, a provider may request an extension up to, but no later than June 30, 2010, to allow the agency time to re-write programs and provide staff training.

To request an extension, the Executive Director of the agency must submit a written request to the Division of Developmental Disabilities by February 12, 2010.

**The written request must** list the names of the individuals for whom prone restraint is currently utilized, as well as confirm that the agency is in agreement to all of the following:

- a. Only current and authorized prone restraint programs will be extended. Authorized means that it is written into the individual's plan and the plan has been approved by the Behavior Intervention Committee and the Human Rights Committee .
- b. Prone restraint will not be added to any new or existing Person Centered Service Plans.
- c. Prone restraint will not be utilized on an emergency basis (unauthorized).
- d. A Risk Assessment will be completed for each individual for whom prone restraint is used. (Risk Assessments are now being completed as part of the annual PCSP process. However, if a prone restraint is utilized as part of the individual's current PCSP, a Risk Assessment must be in place now).

- e. All incidents involving the use of prone restraint will be reported through the Serious Events protocol.

In addition, the following information must be submitted to the DD Division by **February 22, 2010:**

- a. All current Person Centered Service Plans of individuals for whom prone restraint is utilized.
- b. Data for the past twelve (12) months regarding the frequency of the prone restraint, duration of each restraint, and reason for implementing each restraint.
- c. A Risk Assessment for each individual for whom prone restraint is part of the individual's current PCSP.

The Division of Developmental Disabilities will review the request and inform the agency in writing if and when the extension is approved.